

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

R&B - Adilabad District - Sanction of an amount of Rs. 30,000/- towards payment of decretal charges in AS.No.36/2007 in OS.No.34/2004 towards the damages caused to the cotton crops raised by Sri Wankadi Nanaji & two others in their lands in Sy.No.11/A measuring Ac. 2.10 Guntas each, on account of inundation of their crops raised due to the construction of road embankment in Km. 17/0 of Kapri to Bela via Sangidi road by R&B Dept., as an advance from Contingency Fund – Accorded - Orders - Issued

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TRANSPORT, ROADS AND BUILDINGS (ROADS.III) DEPARTMENT

G.O.Rt.No. 654

Dated: 13 -07-2011

Read :-

From the Engineer-in-Chief (R&B) Roads, Hyderabad, Lr.No. 9375/EE(T)/  
DEEX/AE(A)/2010, dated 9-9-2010.

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ORDER:

In the reference read above, the Engineer-in-Chief (R&B) Roads, Hyd., has stated that the road from Kapri to Bela (via) Sangidi was taken over from PR Dept., during the year 1999 and the R&B Dept., have formed the road embankment adjacent to the lands in Sy.No. 11/A in Dahegoan village of Bela (M), Adilabad dist., which was completed under Food for Work Programme in the month of March, 2002. The Plaintiffs i.e., Sri Wankadi Nanaji & two others who are the land owners in Sy.No.11/A have filed O.S.No. 34/2004 in the Court of Jr. Civil Judge, Adilabad for recovery of Rs. 30,000/- towards damages caused to their cotton crops raised in their lands in Sy.No.11/A measuring Ac.2.10 Guntas each, on account of inundation of crops raised and loss due to construction of road embankment. Further, the trial court decreed the suit granting Rs. 90,000/- with interest at 6% on 28-6-2007 in OS.No.34/2004. The R&B Dept., filed an appeal before the District Judge, Adilabad in AS.No.36/2007. The District Judge, Adilabad found that after filing the suit, a culvert was constructed by the Dept., and there is no damage to crops. However the crop was damaged during the year 2002, as there was no culvert constructed by R&B Dept. The Court also found that the Plaintiffs failed to establish the actual damage caused to their crops. The Appellate Court has substantially reduced the damage amount from Rs. 90,000/- to Rs. 30,000/- i.e., Rs. 10,000/- each Plaintiff and decree in AS.No.36/2007 on 6-11-2009 and directed to deposit the same within one month.

2) He has further stated that the Govt., Pleader for Arbitration, High Court of A.P., has also informed that it is not a fit case for filing second Appeal before the High Court and advised to comply with the Judgment and decree in AS.No.36/2007 to avoid further payment of interest. Therefore, the Engineer-in-Chief (R&B) Roads, Hyd., has requested to sanction and release LOC for Rs. 30,000/- towards decretal amount.

3) Government after careful examination of the matter hereby accord sanction for an amount of Rs. 30,000/- (Rupees Thirty thousand only) towards payment of decretal charges in AS.No.36/2007 in OS.No.34/2004 towards the damages caused to the cotton crops raised by Sri Wankadi Nanaji & two others in their lands in Sy.No.11/A measuring Ac. 2.10 Guntas each, on account of inundation of their crops raised due to the construction of road embankment in Km. 17/0 of Kapri to Bela via Sangidi road by R&B Dept.

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4) The amount sanctioned in para (3) above shall be debited to the Head of Account “5054 – COL on Roads and Bridges, 04 – District & Other Roads - MH – 800 – Other Expenditure - GH - 11 – Normal State Plan – SH – (07) – Major District Roads – 530 – Major works – 532 – Lands (charged)” and shall initially be met by an advance from the Contingency Fund and orders regarding which will be issued by Finance (BG) Department separately.

5) The Engineer-in-Chief (R&B) State Roads, Hyderabad is requested to take necessary further action accordingly in the matter.

6) The Engineer-in-Chief (R&B) State Roads, Hyderabad shall also send necessary proposals to Finance (BG.I) Department at the appropriate time during the current financial year 2011-12 for obtaining Supplementary Grant to recoup the advance sanctioned from contingency fund.

7) This order issues with the concurrence of Finance (Expr.PW) Department vide their U.O.No. 15788/576/Expr.PWD/A2/2011, dt. 2-7-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief (R&B) State Roads, Hyderabad

Copy to

The Executive Engineer (R&B) Nirmal, Adilabad District.

The Finance (Expr.PW) Deptt./Finance(BG)Deptt.,

The Accountant General, A.P.Hyderabad

The Pay and Accounts Officer, Hyderabad

The D.T.O., Adilabad dist.

The Director of Works Accounts, Hyd.

The Director of Treasuries & Accounts, A.P., Hyd.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER